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OFFICE OF PETITIONS

In re Application of	:	
Jonathan B. Rothbard et al	:	
Application No. 10/083,960	:	DECISION ON PETITION
Filed: February 25, 2002	:	TO WITHDRAW
Attorney Docket No. 019801-000240US	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed January 23, 2006.


The request is **NOT APPROVED**.

A review of the file record indicates that William B. Kezer and customer No. 20350 do not have power of attorney in this patent applications but has been employed or otherwise engaged in the proceedings in this patent application. However, the reason provided does not meet any of the conditions under the mandatory or permissive categories enumerated in 37 CFR 10.40. Section 10.40 of Title 37 of the Code of Federal Regulation states, "[a] practitioner shall not withdraw from employment in a proceeding before the Office without permission from the Office[.]" More specifically, 37 CFR 10.40 states, "[i]f paragraph (b) of this section is not applicable, a practitioner may not request permission to withdraw in matter pending before the Office unless such request or such withdrawal is" for one of the permissive reasons listed in 37 CFR 10.40(c). The reason set forth in the request is "Discontinuation of attorney/client relationship" do not meet any of the conditions set forth in 37 CFR 10.40.

Upon further review of the file record, there is no indication that a signed oath or declaration in compliance with 37 CFR 1.63 was filed within the two (2) months from the mail date of the Notice to File Missing Parts of Nonprovisional Application (Notice) mailed April 17, 2002. Therefore, this application became abandoned on June 18, 2002.

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicants.

Telephone inquires concerning this decision should be directed to Wan Laymon at 571-272-3220.


Amelia Ad
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Office of Petitions

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